

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI**

**IN RE** Jamie Lee House  
Domita Tawnee House

**CHAPTER 13 NO. 16-51076-KMS**

**OBJECTION TO SECURED CLAIM(S) AND OTHER RELIEF**

**COMES NOW**, Debtor by and through counsel, and file this Objection to the following pre-petition secured claim and request the Court to set the value for the purpose of plan confirmation:

**CREDITOR:** CRAFT AUTO SALES  
1908 W PINE STREET  
HATTIESBURG, MS 39401

Description of Collateral: 2006 PONTIAC GRAND PRIX - 910 AUTO

Amount of Debt: \$5,143.00 amount alleged to be due.

Treatment: Pay the alleged amount owed plus 5% interest over the life of the Chapter 13 Plan; or, in the event a timely filed and/or allowed Proof of Claim is filed by or on behalf of this creditor evidencing a purchase-money security interest and that the vehicle loan was acquired less than 910 days before the petition filing, pay the amount owed as set forth in such claim plus 5% interest over the life of the Chapter 13 Plan; or, in the event a timely filed and/or allowed Proof of Claim is filed by or on behalf of this creditor evidencing a purchase-money security interest and that the vehicle loan was acquired more than 910 days before the petition filing, then pay the value of \$5,468.00 plus 5% interest over the life of the plan unless the amount owed as set forth in such claim if less than the value of \$5,468.00.

**DEBTOR(S)** pray(s) that in the event a timely filed and/or allowed Proof of Claim is filed by or on behalf of the abovementioned creditors evidencing an unsecured interest, that said creditor be paid the same percentage distribution as all other unsecured creditors through the Chapter 13 Plan and further pray(s) the either upon payment of the underlying debts determined under non bankruptcy law or discharge under §1328, all liens be cancelled and any and all title documents be promptly delivered to Debtor(s).

**DATED:** 5/6/17

Respectfully submitted,

/S/ John Gadow  
John Gadow MSB 9644  
Gadow Tyler PLLC  
511 East Pearl Street  
Jackson MS 39201 (601) 355-0654

CHAPTER 13 PLAN  
UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF MISSISSIPPI

CASE NO. \_\_\_\_\_

Debtor Jamie Lee House SS# xxx-xx-1388 Median Income ☐ Above ☒ Below  
Joint Debtor Domita Tawnee House SS# xxx-xx-2602  
Address 1757 CR16 Louin, MS 39338-0000

**THIS PLAN DOES NOT ALLOW CLAIMS.** Creditors must file a proof of claim to be paid under any plan that may be confirmed. The treatment of ALL secured / priority debts must be provided for in this plan.

**PAYMENT AND LENGTH OF PLAN**

The plan period shall be for a period of 60 months, not to be less than 36 months for below median income debtor(s), or less than 60 months for above median income debtor(s).

(A) Debtor shall pay \$ 185.11 per month to the Chapter 13 Trustee. Unless otherwise ordered by the Court, an Order directing payment shall be issued to Debtor's employer at the following address:  
Paying Personally

(B) Joint Debtor shall pay \$ \_\_\_\_\_ per (monthly / semi-monthly / weekly / bi-weekly ) to the Chapter 13 Trustee. Unless otherwise ordered by the Court, an Order directing payment shall be issued to Debtor's employer at the following address:

**PRIORITY CREDITORS.**

Filed claims that are not disallowed to be paid in full or as ordered by the Court as follows:

Other/ <u>IRS</u>	\$ <u>0.00</u>	@ <u>0.00</u>	/month
Other/ <u>Miss State Tax Comm</u>	\$ <u>48.00</u>	@ <u>.80</u>	/month

**DOMESTIC SUPPORT OBLIGATION DUE TO:** \_\_\_\_\_

-NONE-

POST PETITION OBLIGATION: In the amount of \$ per month beginning .

To be paid \_\_\_\_\_ direct, \_\_\_\_\_ through payroll deduction, or \_\_\_\_\_ through the plan.

-NONE-

PRE-PETITION ARREARAGE: In the total amount of \$ through shall be paid the amount of \$ per month beginning

To be paid \_\_\_\_\_ Direct \_\_\_\_\_ through payroll deduction \_\_\_\_\_ through the plan.

**HOME MORTGAGES.** All claims secured by real property which are to be paid through the plan shall be scheduled below. Absent an objection by a party in interest, the plan will be amended consistent with the proof of claim filed herein, subject to the start date for the continuing monthly mortgage payment proposed herein.

MTG PMTS TO: Green Tree BEGINNING July 2016 @\$ 519.00 ☐ PLAN ☒ DIRECT  
MTG ARREARS TO: -NONE- THROUGH \_\_\_\_\_ \$ \_\_\_\_\_ @\$ \_\_\_\_\_ /MO\*

**MORTGAGE CLAIMS TO BE PAID IN FULL OVER PLAN TERM:**

Creditor: -NONE- Approx. amt. due: \_\_\_\_\_ Int. Rate: \_\_\_\_\_  
Property Address: \_\_\_\_\_ Are related taxes and/or insurance escrowed Yes ☐ No ☐

**NON-MORTGAGE SECURED CLAIMS.** Creditors that have filed claims that are not disallowed are to retain lien(s) under 11 U.S.C. 1325(a)(5)(B)(i)(I) until the payment of the debt determined as under non-bankruptcy law or discharge. Such creditors shall be paid as secured claimants the sum set out below or pursuant to other order of the Court. The portion of the claim not paid as secured shall be treated as a general unsecured claim.

Debtor's Initials JH Joint Debtor's Initials DH  
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Best Case Bankruptcy

CREDITOR'S NAME	COLLATERAL	910* CLM	APPROX. AMT. OWED	VALUE	INT. RATE	PAY VALUE OR AMT. OWED
	2006 Pontiac Grand Prix Location: 1757 CR16, Louin MS 39338	X	5,143.00	5,468.00	5.00%	Amt. Owed
Craft Auto Sales						
	2004 Chevy Impala Location: 1757 CR16, Louin MS 39338		1,508.00	500.00	5.00%	Pay Value
Express Check Advance						
	1987 Chevy Deluxe Truck Location: 1757 CR16, Louin MS 39338		358.00	1,000.00	5.00%	Amt. Owed

\*The column for "910 CLM" applies to both motor vehicles and "any other thing of value" as used in the "hanging paragraph" of 11 U.S.C. § 1325

**SPECIAL CLAIMANTS** including, but not limited to, co-signed debts, abandonment of collateral, direct payments by Debtor, etc. For all abandoned collateral Debtor will pay \$0.00 on the secured portion of the debt. Where the proposal is for payment, creditor must file a proof of claim to receive proposed payment.

CREDITOR'S NAME	COLLATERAL	APPROX. AMT. OWED	PROPOSED TREATMENT
	Push mower, Gas Weedeater, Yamaha Riding Mower, 2 Electric Drills, Pressure Washer, Keyboard, AM/FM Radio/CD Player, 2nd 42" Sanyo Flat Screen, 3rd 50" Sanyo Plasma TV, Acer Laptop and DVD/VCR Combo	2,315.00	Abandon: Pay 0.00
Tower Loan of			
Tower Loan of	HHG	1,242.00	Abandon: Pay 0.00

**STUDENT LOANS** which are not subject to discharge pursuant to 11 U.S.C. §§ 523(a)(8) and 1328(c) are as follows (such debts shall not be included in the general unsecured total):

CREDITOR'S NAME	APPROX. AMT. OWED	CONTRACTUAL MO. PMT.	PROPOSED TREATMENT
-NONE-			

**SPECIAL PROVISIONS** for all payments to be paid through the plan, including, but not limited to, adequate protection payments: -NONE-

**GENERAL UNSECURED DEBTS** totaling approximately \$ 8,476.00. Such claims must be timely filed and not disallowed to receive payment as follows:     IN FULL (100%) or    0    % (percent) MINIMUM, or a total distribution of \$    , with the Trustee to determine the percentage distribution. Those general unsecured claims not timely filed shall be paid nothing, absent order of the Court.

Total Attorney Fees Charged \$	<u>3,200.00</u>
Attorney Fees Previously Paid \$	<u>0.00</u>
Attorney fees to be paid in plan \$	<u>3,200.00</u>

The payment of administrative costs and aforementioned attorney fees are to be paid pursuant to Court order and/or local rules.

Automobile Insurance Co/Agent  
Safeway Insurance

PO Box 981789

Jackson, MS 39298-8179

Telephone/Fax 601-936-2155

Attorney for Debtor (Name/Address/Phone # / Email)  
John Gadow

511 East Pearl Street  
Jackson, MS 39201

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Facsimile No. 601-510-9667

E-mail Address btyler@pgtlaw.com

DATE: June 23, 2016

DEBTOR'S SIGNATURE

/s/ Jamie Lee House

JOINT DEBTOR'S SIGNATURE

/s/ Domita Tawnee House

ATTORNEY'S SIGNATURE

/s/ John Gadow